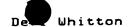
Carstens, Yee & Cahoon, L.L.P. 13760 Noel Road Suite 900 Dallas, Texas 75240 Main No. (972) 367-2001 Facsimile (972) 367-2002





To: Assistant Commissioner of Patents for Examiner Suresh Suryawanshi Group Art Unit 2185	Facsimile No.: 703/746-7239
From: Dell Whitton Legal Assistant to Stephen R. Tkacs	No. of Pages Including Cover Sheet: 18
Message: Enclosed herewith: Transmittal Document; and Response to Office Action.	
Re: Application No. 09/527,398 Attorney Docket No: AUS000147US1	
Date: Wednesday, January 22, 2003	
Please contact us at (972) 367-2001 if you do not receive all pages indicated above or experience any difficulty in receiving this facsimile.	This Facsimile is intended only for the use of the addressee and, if the addressee is a client or their agent, contains privileged and confidential information. If you are not the intended recipient of this facsimile, you have received this facsimile inadvertently and in error. Any review, dissemination, distribution, or copying is strictly prohibited. If you received this facsimile in error, please notify us by telephone and return the facsimile to us immediately.

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#5/A pay 1-24-03

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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§ §

In re application of: Aguilar et al.

Serial No.: 09/527,398

Filed: March 16, 2000

For: Method and Apparatus for Updating Boot Code in a Data Processing System on a Local Storage

Device

Group Art Unit: 2185

Examiner: Suryawanshi, Suresh

Attorney Docket No.: AUS000147US1

Certificate of Transmission Under 37 C.F.R. § 1.8(a)

I hereby certify this correspondence is being transmitted via facsimile to the Assistant Commissioner of Patents, Washington, D.C. 20231, facsimile number (703) 746-7239 on January 22,

2003

By: LV // L Dell Whitton

TRANSMITTAL DOCUMENT

Assistant Commissioner of Patents Washington, D.C. 20231

Sir:

ENCLOSED HEREWITH:

- Response to Office Action; and
- Our return postcard.

No fees are believed to be required. If, however, any fees are required, I authorize the Commissioner to charge these fees which may be required to IBM Corporation Deposit Account No. 09-0461. No extension of time is believed to be necessary. If, however, an extension of time is required, the extension is requested, and I authorize the Commissioner to charge any fees for this extension to IBM Corporation Deposit Account No. 09-0461.

Respectfully submitted,

Registration No. 34,285

CARSTENS, YEE & CAHOON, LLP

P.O. Box 802334 Dallas, Texas 75380

(972) 367-2001

ATTORNEY FOR APPLICANTS

p.3



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

999999

In re application: Aguilar et al.

Serial No.: 09/527,398

Group Art Unit: 2185

Filed: March 16, 2000

Examiner: Suryawanshi, Suresh

For: Method and Apparatus for **Updating Boot Code in a Data**

Attorney Docket No.: AUS000147US1

Processing System on a Local Storage **Device**

> Certificate of Transmission Under 37 C.F.R. § 1.8(a) I hereby certify this correspondence is being transmitted via facsimile to the Assistant Commissioner of Patents, Washington, D.C. 20231, facsimile number (703) 746-7239, on January 22, 2003.

RESPONSE TO OFFICE ACTION

Assistant Commissioner of Patents Washington, D.C. 20231

Sir:

No fees are believed to be required. If, however, any fees are required, I authorize the Commissioner to charge these fees which may be required to IBM Corporation Deposit Account No. 09-0461. No extension of time is believed to be necessary. If, however, an extension of time is required, the extension is requested, and I authorize the Commissioner to charge any fees for this extension to IBM Corporation Deposit Account No. 09-0461.

In response to the Office Action dated November 1, 2002, please amend the above-identified application as follows: